



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 1754

I, Leslie Lindsay, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on the date of my signature.

Leslie Lindsay
Signature

30 Dec. 2002
Date of Signature

Patent Application of

Rex M. Bitner, et al.

Serial No. 09/813,077

Filed: March 20, 2001

Confirmation No.: 1397

Examiner: _____

"PH DEPENDENT ION EXCHANGE
MATRIX AND METHOD OF USE IN THE
ISOLATION OF NUCLEIC ACIDS"

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RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In the matter of the above-identified application, and in response to the Office communication mailed December 12, 2002, Applicants reply as follows.

Claims 1-11, 13-21, 86-98, and 101-107 are pending in the application.

In the Office communication, the Examiner identified two inventions: Group I (claims 1-11, 13-21, 101, and 103-106), drawn to pH dependent ion exchanges matrices, and Group II (claims 86-98, 102, and 107), drawn to a methods of making a pH dependent ion exchange matrix.

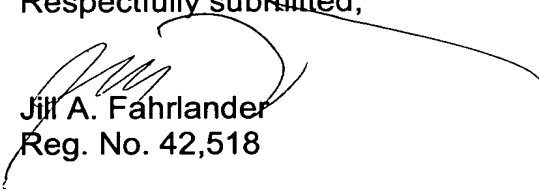
Applicants elect the Group I claims 1-11, 13-21, 86-98, and 101-107 with traverse.

Applicants respectfully submit that all claims of the present application could be examined together without placing any serious burden on the United States Patent and Trademark Office. The claims of Groups I and II are so closely related to one another that, for efficiency, they should be examined in a single application.

For reasons stated above, Applicants respectfully submit that restriction of examination to one of the two groups of claims set forth in the Office Action would be improper under 35 U.S.C. §121. In view of the above, Applicants respectfully request reconsideration and withdrawal of the restriction requirement.

No fee is believed due in connection with this submission. Please charge or credit Deposit Account No. 50-0842 with any shortage or overpayment of the above fee.

Respectfully submitted,



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